

ORDINANCE NO. 1825

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING LODI MUNICIPAL CODE CHAPTER 15.68, "SAN  
JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION  
AND OPEN SPACE PLAN DEVELOPMENT FEES," BY  
REPEALING AND REENACTING SECTION 15.68.020(B),  
"ANNUAL ADJUSTMENT"

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 15.68, "San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fees," Section 15.68.020(B), "Annual Adjustment," is hereby repealed and reenacted to read as follows:

- B. Annual Adjustment. The Fee established pursuant to a resolution shall be adjusted each year by an amount consistent with the California Construction Cost Index (CCCI) as published by the Engineering News Record and/or in conformance with Section 7.5.2.2. of the SJMSCP, and as approved by SJCOG, Inc.

The proposed fee adjustments shall be adopted by the Lodi City Council in order to be effective by January 1<sup>st</sup> of each year.

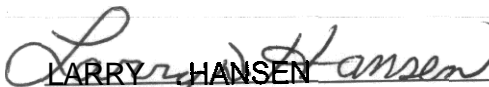
SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

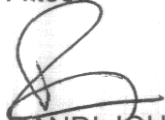
SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 4<sup>th</sup> day of November, 2009



LARRY D. HANSEN  
LARRY D. HANSEN  
Mayor

Attest:



RANDI JOHL  
City Clerk

State of California  
County of San Joaquin, ss

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1825 was introduced at a regular meeting of the City Council of the City of Lodi held October 21, 2009, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held November 4, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Katzakian, and  
Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Mounce

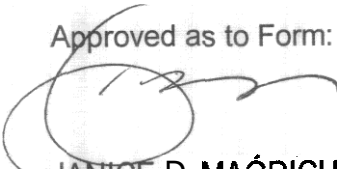
ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1825 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



RANDI JOHL  
City Clerk

Approved as to Form:



JANICE D. MAGDICH  
Deputy City Attorney